

**Regular**

Council meets in formal session this day at 6:10 o'clock p.m., in the Council Chambers.

**Members Present:** Mayor Francis  
Councillor Dilkens  
Councillor Gignac  
Councillor Halberstadt  
Councillor Hatfield  
Councillor Jones  
Councillor Maghnieh  
Councillor Marra  
Councillor Sleiman  
Councillor Valentinis

**Members Absent:** Councillor Payne

**Call to Order**

Following the playing of the Canadian National Anthem, Reverend Lanny Meier from Church of God, offers the Opening Prayer.

**Disclosures of Pecuniary Interest and the General Nature Thereof**

None disclosed.

**Minutes**

Moved by Councillor Marra, seconded by Councillor Gignac,  
That the Minutes of the regular meeting of Council held October 3, 2011, **BE ADOPTED**  
as presented.  
Carried.

**Notice of Proclamations**

1<sup>st</sup> Annual Windsor Essex Job Day – October 18, 2011  
Conflict Resolution Day – October 20, 2011  
English as a Second Language Week – October 23-29, 2011  
11<sup>th</sup> Annual Child Care Worker & Early Childhood Educator Appreciation Day – October 26, 2011  
Bookfest Windsor Week – October 30 – November 5, 2011  
Random Act of Kindness Day – November 4, 2011

**Committee of the Whole**

Moved by Councillor Sleiman, seconded by Councillor Valentinis,  
That Council do now rise and move into Committee of the Whole with the Mayor presiding for the purpose of dealing with:

- (a) communication items;
- (b) consent agenda;
- (c) hearing requests for deferrals or referrals of any items of business;
- (d) hearing presentations and delegations;

- (e) consideration of business items;
  - (f) consideration of Committee reports:
    - (i) **Report of Special In-Camera Meeting or other Committee as may be held prior to Council** (if scheduled); and
    - (ii) **Report No. 39 of the Social Development, Health & Culture Standing Committee** of its meeting held October 12, 2011.
  - (g) consideration of by-laws 177-2011 through 181-2011 (inclusive).
- Carried.

### Communications

Moved by Councillor Dilkens, seconded by Councillor Gignac,  
**M280-2011** That the following Communication Items 1 and 4 to 12 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted except Communication No. 2 and 3 which are dealt with as follows:

#### Communication No. 2:

Moved by Councillor Marra, seconded by Councillor Hatfield,  
**M281-2011** That the Ontario Good Roads Association (OGRA) **BE ADVISED** that Councillor Maghnieh is the City of Windsor's nominee for the 2012-2013 OGRA Board of Directors.  
Carried.

**GP2011**

#### Communication No. 3:

Moved by Councillor Gignac, seconded by Councillor Hatfield,  
**M282-2011** That the correspondence from the David Suzuki Foundation dated September 26, 2011 regarding two reports on an innovative financing concept for energy retrofits **BE RECEIVED**, and further,

That the City of Windsor **REQUEST** the Province of Ontario and the Federal Government of Canada to:

1. Implement regulatory change for Local Improvement Charges (LIC's) to enable clear authority for municipalities to use LIC's for energy improvement retrofits on private property;
2. Amend the cost allocation method to accommodate retrofit costs and make the mechanism set-up process simple;
3. Recognize the public benefit of the private energy improvements;
4. Enable municipalities to have the authority to sell the LIC financing to banks;
5. Support a collaboration to develop "Property Assessed Payments for Energy Retrofits" (PAPER) programs including providing appropriate technical assistance to enable optimal energy savings per dollar spent;
6. Provide support via low-interest financial loans guarantees/loan loss reserves and for addressing the scalability of energy savings guarantees for the residential sector;
7. Support the development of a blended product like Canada and Mortgage Housing Corporation's (CMHC's) Mortgage Loan Insurance for PAPER to decrease default risk further;
8. Provide incentives like energy efficiency income tax credits;

and further,

That the Association of Municipalities of Ontario (AMO) and the Federation of Canadian Municipalities of Ontario (FCM) **BE ENLISTED** to help in expediting the necessary legislative changes.

**EI2011**

Carried.

Item	From	Description
1	Premier of Ontario	Acknowledgement of letter dated September 14, 2011 regarding M232-2011 ( <i>previously distributed</i> ) regarding the Ministry of Transportation Bicycle Policy Update.  <b>Executive Director of Operations Coordinator, Windsor Bicycling Committee Note &amp; File MB/5331</b>
2	Ontario Good Roads Association (OGRA)	Nominations for 2012-2013 Board of Directors.  <b>Note &amp; File GP2011</b>
3	David Suzuki Foundation	Reports on: Property Assessed Payments for Energy Retrofits and Property Assessed Payments for Energy Retrofits and Other Financing Options.  <b>Chief Financial Officer &amp; City Treasurer Chief Building Official City Engineer Note &amp; File EI2011</b>
4	Town of Tecumseh	Notice of Two-Day Public Forum on October 18 & 19, 2011 regarding the Tecumseh Hamlet Secondary Plan and Tecumseh Road Mainstreet Corridor Community Improvement Plan (CIP).  <b>City Planner Note &amp; File SW2011</b>
5	Secretary/Treasurer Committee of Adjustment	Consent Authority Agenda Record Hearing to be held on Wednesday, October 19, 2011, Room 409, 400 City Hall Square East, Windsor  <b>Note &amp; File ZC2011</b>
6	Manager of Urban Design	Application of Academie Ste. Cecile International School for Re-Review Site Plan Approval to permit an amendment to a site plan previously submitted by moving proposed dorm located at 925 Cousineau.  <b>Note &amp; File ZS/10380</b>
7	Manager of Urban Design	Application of 1849684 Ontario Inc. for Site Plan Approval to permit medical offices (medical clinic), business offices, or compliant existing buildings façade improvements and new parking at 2939, 2959, 2979 Tecumseh Road East.  <b>Note &amp; File ZS/11195</b>
8	Manager of Urban Design	Application of Chlumecky Holdings Inc. for Site Plan Approval to permit manufacturing two-phased development located at 620 Sprucewood.  <b>Note &amp; File ZS/11196</b>
9	City Planner	Conveyance of part of the north/south alley between Buckingham and Westminster Avenue.  <b>Note &amp; File SAA2011</b>
10	Family Aquatics & Library Complex Steering Committee	Minutes of meeting held July 21, 2011 ( <i>previously distributed</i> for members of Council only) ( <b>copy available upon request</b> )  <b>Note &amp; File MB2011</b>

11	Family Aquatics & Library Complex Steering Committee	Minutes of meeting held September 2, 2011 ( <i>previously distributed</i> for members of Council only) ( <b>copy available upon request</b> ) <b>Note &amp; File MB2011</b>
12	Family Aquatics & Library Complex Steering Committee	Minutes of meeting held September 19, 2011 ( <i>previously distributed</i> for members of Council only) ( <b>copy available upon request</b> ) <b>Note &amp; File MB2011</b>

Carried.

### Consent Agenda

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,

That the following Consent Agenda and the recommendations contained in the administrative reports **BE APPROVED** as amended:

- Item 1 61 University Avenue West, 67 University Avenue West and 316 Pelissier Street – no municipal use
- Item 2 The City Grill – Valet parking Agreement Amendment
- Item 3 Vacant Land on John B Avenue; R. P. 759, Lot 11 (northwest corner of John B Avenue and Peter Street) to be offered For Sale to both abutting owners
- Item 4 Vacant Land on Elm Avenue; R. P. 918, Part of Lot 42 (southwest corner of Elm and Grove) to be offered For Sale to the abutting owner
- Item 5 Approval of Award of Tender #112-11 for Partial Roof Replacement at Transit Windsor, 3700 North Service Road
- Item 6 Fleet Documentation – Fleet Division Mandate, Fleet Review Committee Charter and Fleet Use Policy
- Item 7 Tender #106-11 – Purchase of Crossover Vehicles
- Item 8 Fuel Contract Extension – Suncor Energy Products Partnership
- Item 10 CR B7-2011 Transmittal of Results and Recommendations from Transit Windsor and Handi-Transit Discussions on Service Delivery
- Item 11 Award of Tender 53-11 Huron Lodge Landscaping
- Item 13 Railway Spur Line and Municipal Services from C. P. Rail to service Twin Oaks Industrial Park, Retain Consultant
- Item 14 Construction of Concrete Sidewalks & Curb and Gutters – Tender No. 83-11
- Item 15 Windsor Fire & Rescue Services Use for Training of Dwellings Scheduled for Demolition

Carried.

### Deferrals and/or Referrals and Withdrawals

#### Site Plan Approval for the proposed development at 790 Goyeau Street – File NO. SPC-035/11

#### Sam Helou, property owner

Sam Helou, property owner, appears before Council to request that the report of the City Planner dated September 29, 2011 regarding “Site Plan Approval for the proposed development at 790 Goyeau Street – File No. SPC-035/11” be deferred as he only received notice a few days ago, and requires time to prepare for delegation purposes.

**Michele Helou**

Michele Helou, appears before Council to request that the report of the City Planner dated September 29, 2011 regarding “Site Plan Approval for the proposed development at 790 Goyeau Street – File No. SPC-035/11” be deferred as he only received notice a few days ago, and requires time to prepare for delegation purposes.

**Davide Petretta, Petretta Construction Inc.**

Davide Petretta, Petretta Construction Inc., appears before Council to request that the report of the City Planner dated September 29, 2011 regarding “Site Plan Approval for the proposed development at 790 Goyeau Street – File No. SPC-035/11” be dealt with as scheduled and that Council not entertain any requests for deferral on this issue as there are tight timelines associated with this project.

**Matthew Pearce**

Matthew Pearce, appears before Council to request that the report of the City Planner dated September 29, 2011 regarding “Site Plan Approval for the proposed development at 790 Goyeau Street – File No. SPC-035/11” be deferred as he only received notice a few days ago, and requires time to prepare for delegation purposes.

**Clerk’s Note:** Council agrees to defer the item for a one week period, to be considered by Council on Monday, October 24, 2011.

**ZS/11178 9**

(For final disposition of this matter, see Clause **CR261/2011** in Schedule “A” attached hereto.)

**Presentations & Delegations:****PRESENTATIONS:****2011 Sparky’s Toy Drive****“Sparky” the Fire Dog and Windsor Fire-fighter Jeremy Soulliere**

“Sparky” the Fire Dog and Windsor Fire-fighter Jeremy Soulliere appear before Council to provide details regarding the 2011 Sparky’s Toy Drive, which last year collected toys for more than 3,600 children in the community.

**DELEGATIONS****Councillor Hatfield’s Notice of Motion**

**Jim Wood, President, CUPE Local 82**

Jim Wood, President, CUPE Local 82, appears before Council to state that the Comprehensive Economic & Trade Agreement (CETA) is a bad idea for Canada and even worse for municipalities as the deal poses a serious threat to local democracy and public services across the country, suggesting that CETA threatens public services such as health care and education, water treatment, social programs, electrical utilities and all that municipalities govern, and concludes by requesting that Council adopt a resolution that includes asking for a briefing from the Province of Ontario on the scope and content of trade negotiations with the European Union, that the Federation of Canadian Municipalities (FCM) provide sector-by-sector analysis of the potential impacts on municipal functions and powers of the procurement regime that the European Union is seeking; that FCM urge the government of Canada not to provide the European Union with access to sub national government procurement, and that the provincial government negotiate a clear, permanent exemption for local governments from CETA.

Mayor Francis leaves the meeting at 7:07 o'clock p.m., and Councillor Maghnieh assumes the Chair.

**Andrea Madden, Vice President, CUPE Ontario**

Andrea Madden, Vice President, CUPE Ontario, appears before Council to express concerns regarding the Comprehensive Economic & Trade Agreement (CETA) that is being negotiated between the Canadian federal and provincial governments and the European Union, and that it is vital that the Federal and Provincial Governments continue to ensure that the municipal sectors' interests are represented in the ongoing negotiations.

**Dino Chiodo, Windsor District Labour Council**

Dino Chiodo, Windsor District Labour Council, appears before Council to express concerns regarding the Comprehensive Economic & Trade Agreement (CETA) that is being negotiated between the Canadian federal and provincial governments and the European Union, suggesting that if this were to be implemented it would result in a growth in imports from Europe and a decrease in exports to Europe, thus leading to a loss of Canadian jobs and a negative impact on the economy.

Mayor Francis returns to the meeting at 7:21 o'clock p.m., and Councillor Maghnieh returns to his seat at the Council table.

**Ken Lewenza, Jr., CAW Canada**

Ken Lewenza, Jr., CAW Canada, appears before Council to express concerns regarding the Comprehensive Economic & Trade Agreement (CETA) that is being negotiated between the Canadian federal and provincial governments and the European Union, as it would give corporations greater powers than citizens, and concludes by requesting that Council issue a request to the Federal and Provincial governments to continue to ensure that the municipal sectors' interests are represented in the ongoing negotiations.

**Randy Emerson & Doug Hayes, Council of Canadians**

Randy Emerson & Doug Hayes, Council of Canadians, appear before Council to express concerns regarding the Comprehensive Economic & Trade Agreement (CETA) that is being negotiated between the Canadian federal and provincial governments and the European Union, as there has been a lack of information sharing on this issue, and conclude by requesting that Council adopt a motion to be issued to the Association of Municipalities of Ontario (AMO) requesting that the Province of Ontario provide a briefing on the scope and content of trade negotiations with the European Union, that the Federation of Canadian Municipalities (FCM) provide sector-by-sector analysis of the potential impacts on municipal functions and powers of the procurement regime that the European Union is seeking, that FCM urge the Government of Canada not to provide the European Union access to sub national government procurement, and that the Government of Ontario, along with the other provincial and territorial governments negotiate a clear, permanent exemption for local governments from CETA.

(For final disposition of this matter, see **NOTICE OF MOTION** section)

**Regular Business Items (for final disposition of these matters see Schedule "A" attached)**

Item 12 2011 Third Quarter Operating Budget Variance Report

**Consideration of Committee Reports**

**M283-2011** Moved by Councillor Marra, seconded by Councillor Gignac,  
That the **Report of the special In-camera** meeting held October 17, 2011, **BE ADOPTED**  
as presented.

Carried.

ACO2011

**M284-2011** Moved by Councillor Halberstadt, seconded by Councillor Hatfield,  
That **Report No. 39 of the Social Development, Health & Culture Standing** Committee  
of its meeting held October 12, 2011- Investment in Affordable Housing for Ontario also known as IAH,  
**BE ADOPTED** as presented.

Carried.

MB2010

**By-laws**

Moved by Councillor Sleiman, seconded by Councillor Valentinis,  
That the following By-laws No. 177-2011 through 181-2011 (inclusive), be introduced and read a  
first and second time:

177-2011 "A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 244-2004, BEING A BY-LAW TO AMEND ANIMAL CONTROL OFFICERS FOR THE CORPORATION OF THE CITY OF WINDSOR"

178-2011 "A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9023 BEING A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL STREETS, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES"

179-2011 "A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9023 BEING A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL STREETS, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES"

180-2011 “A BY-LAW TO AMEND BY-LAW NUMBER 179-2008, BEING A BY-LAW RESPECTING THE ISSUANCE OF VARIOUS PERMITS AND THE SCHEDULING OF INSPECTIONS”

181-2011 “A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE SEVENTEENTH DAY OF OCTOBER, 2011”

Carried.

Moved by Councillor Dilkens, seconded by Councillor Gignac,  
That the Committee of the Whole does now rise and report to Council respecting the business items considered by the Committee:

- 1) **Communication Items (as amended)**
- 2) **Consent Agenda (as amended)**
- 3) **Items Deferred**  
**Items Referred**
- 4) **Consideration of the Balance of Business Items (see Schedule “A”)**
- 5) **Committee Reports (as presented)**
- 6) **By-laws given first and second readings (as presented)**

Carried.

### **Notices of Motion**

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M285-2011 WHEREAS** representatives from the Council of Canadians has provided City Council with information and their concerns about negotiations currently underway to secure a trade agreement between Canada and the European Union;

**AND WHEREAS** the Corporation of the City of Windsor wishes to ensure as best it can that local businesses and the municipality are afforded both the opportunities and the protections that they may require under such a trade agreement;

**AND WHEREAS** the Corporation of the City of Windsor supports the Guiding Principles as set out by the Federation of Canadian Municipalities and endorsed by the Association of Municipalities of Ontario;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Windsor requests the Federal Government and Provincial Governments continue to ensure that the municipal sectors' interests are represented in the ongoing negotiations;

**AND THAT** Federal Government's negotiations ensure that the Guiding Principles will be fully reflected in a trade agreement between Canada and the European Union should negotiations be finalized;

**AND FINALLY THAT** the Federal and Provincial Government in Ontario provide the Federation of Canadian Municipalities and the Association of Municipalities of Ontario with regular, detailed updates on the status of the trade negotiations (and recognizing the confines of confidentiality that accompanies negotiations, to share as much information as possible with their membership).

Carried.

Moved by Councillor Hatfield, seconded by Councillor Dilkens,

**M286-2011** That Rule 13.9 of the Procedure By-law regarding business not already before Council **BE WAIVED** to permit the introduction of two motions for consideration without prior notice respecting the possible hosting of AMO and FCM conferences.

Carried.

Moved by Councillor Maghnieh, seconded by Councillor Dilkens,

**M287-2011** That City Council **SUPPORTS** Tourism Windsor, Essex & Pelee Island's (TWEPI) submission to the Association of Municipalities of Ontario (AMO) for the purpose of being considered as the host municipality along with the County of Essex for the Annual Conference for 2014, 2015 and 2016; and

That the \$50,000 hosting fee **BE APPROVED IN PRINCIPLE** as the upset limit of the financial contribution for any year that this conference is awarded to Windsor, and that the County **BE REQUESTED** to participate with Windsor such that the contribution **BE SHARED** in the amount of \$25,000 each by both the City of Windsor and the County of Essex and that the City's funding **BE ALLOCATED** in the respective future years' capital budget.

Carried.

Moved by Councillor Dilkens, seconded by Councillor Marra,

**M288-2011** That City Council **SUPPORTS** Tourism Windsor, Essex & Pelee Island's (TWEPI) submission to the Federation of Canadian Municipalities (FCM) for the purpose of being considered as the host municipality along with the County of Essex for the September 2014 Board meeting; and

That a maximum amount of \$30,000 toward the hosting fee **BE APPROVED IN PRINCIPLE** as the upset limit of the financial contribution, and that the County **BE REQUESTED** to participate with Windsor such that the contribution **BE SHARED** in the amount of \$15,000 each by both the City of Windsor and the County of Essex and that the City's funding **BE ALLOCATED** in the respective future years' capital budget.

Carried.

### **Third Reading of By-laws**

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,

That the following By-laws No. 177-2011 through 181-2011 (inclusive), having been read a first and second time be now read a third time and finally passed and that the Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.

Carried.

### **Petitions**

None presented.

**Council Questions**

Moved by Councillor Dilkens, seconded by Councillor Marra,

**M289-2011** That the following Council Question by Councillor Dilkens **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

**CQ64-2011**

Asks Administration to report back at budget time – what the cost of initiating a skunk removal program would be for the City of Windsor?

MHS/9496 (October 17, 2011)

Carried.

Moved by Councillor Dilkens, seconded by Councillor Valentinis,

**M290-2011** That the following Council Question by Councillor Dilkens **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

**CQ65-2011**

Asks if we can get an estimate on the purchase and installation of a "Welcome to Windsor, Ontario Canada" sign on the pedestrian overpass at Assumption High School and ask if Administration can check with Provincial and Federal partners to see if they have an interest in participating in such a project.

APR2011 (October 17, 2011)

Carried.

Moved by Councillor Jones, seconded by Councillor Valentinis,

**M291-2011** That the following Council Question by Councillor Jones **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

**CQ66-2011**

Asks that Administration look at the appropriate agencies and funding sources to see if artwork at the tunnel exit/entrance be put on the walls to depict history of City of Windsor – ie. Rumrunners, Underground Railroad, automotive industry, Battle of 1812.

SR2011 (October 17, 2011)

Carried.

Moved by Councillor Sleiman, seconded by Councillor Marra,  
**M292-2011** That the following Council Question by Councillor Sleiman **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

**CQ67-2011**

Asks to come up with a timeline on repairing the road on Pillette and the track. It is in bad shape and needs to be pursued. We need to put pressure on the railroad company to work with Administration to repair this section.

SW2011 (October 17, 2011)

Carried.

Moved by Councillor Gignac, seconded by Councillor Dilkens,  
**M293-2011** That the following Council Question by Councillor Gignac **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

**CQ68-2011**

Asks Administration to add on to Councillor Dilkens request (CQ64-2011) for rodent control, the issue of "hard sided garbage receptacles" and how this might address the issue.

MHS/9496 (October 17, 2011)

Carried.

**Adjournment**

Moved by Councillor Sleiman, seconded by Councillor Valentinis,  
That this Council meeting stand adjourned until the next regular meeting of Council or at the call of the Mayor.

Carried.

Accordingly, the meeting is adjourned at 8:02 o'clock p.m.

**MAYOR**

**CITY CLERK**

**THIS IS A DRAFT COPY**

**DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES**

Halberstadt  
Hatfield

CR253/2011

That Administration's determination that there is no municipal use for the improved properties municipally known as 61 University Avenue West, 67 University Avenue West and 316 Pelissier Street **BE CONFIRMED**.

Carried.

Report Number **15530 APM2011 C1**

Halberstadt  
Hatfield

CR254/2011

That CR148/2011, amended by CR185/2011, **BE FURTHER AMENDED** to delete the following condition;

“(v) That the agreement be guaranteed in a manner acceptable to the City Treasurer”.

Carried.

Report Number **15525 ST/11037 C2**

Halberstadt  
Hatfield

CR255/2011

- I. That the report prepared by the Property Coordinator and Property Supervisor with respect to notification of all real property to be sold **BE RECEIVED** for information.
- II. That the Property Coordinator and Property Supervisor **BE AUTHORIZED** to offer the City-owned vacant approximate 38' X 88' parcel of land (less the lands required by Public Works to be retained along the John B frontage for right-of-way purposes) situated on the north side of John B Avenue, legally described as Part of Lot 11, Registered Plan 759 to both abutting owners (including individuals who have an accepted offer on the abutting property municipally known as 3916 Peter Street) and report back to Council in the event that an offer or offers are received.

Carried.

Report Number **15540 APM2011 C3**

Halberstadt  
Hatfield

CR256/2011

- I. That the report prepared by the Property Coordinator and Property Supervisor with respect to notification of all real property to be sold **BE RECEIVED** for information.
- II. That the Property Coordinator and Property Supervisor **BE AUTHORIZED** to offer the City-owned vacant 30' X 55' parcel of land, legally described as Part of Lot 42, Registered Plan 918 to the abutting owner under the following terms and conditions:  
Sale Price: \$2,000.00 plus HST if applicable;

Account credited: 160-6940-0229611

- III. THAT the transaction **BE COMPLETED** electronically, for the property where it is available, pursuant to By-Law 366-2003 and that the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute all documents necessary to complete the transaction, as required, and that the City Solicitor or designate **BE AUTHORIZED** to execute documents standard to a real estate transaction.

Carried.

Report Number **15527 APM/11020 C4**

Halberstadt  
Hatfield

CR257/2011

THAT Council **APPROVE** the award of Tender No. 112-11 for the Partial Roof Replacement at Transit Windsor, 3700 North Service Rd. to Horizon Roofing Limited in the amount of Four Hundred Forty five Thousand, Seven Hundred Thirty Dollars (\$445,730) excluding HST, plus an additional amount of \$15,000, excluding HST to upgrade the vapour barrier, to be funded from the existing Roof Replacement capital project 7085008 (\$90,000), Union Gas Energy Upgrade Grant (\$5,000), and the balance to be funded as a first charge against the 2012 Capital Budget (\$365,730 plus total non-recoverable HST).

AND that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with the low bidder, satisfactory in form to the City Solicitor, in financial content to the Chief Financial Officer and City Treasurer, and in technical content to the Manager of Real Property Asset Planning.

Carried.

Report Number **15538 APM/11199 C5**

Halberstadt  
Hatfield

CR258/2011

THAT Council **APPROVE** the Fleet Division Mandate, Fleet Review Committee Charter and the Fleet Use Policy.

Carried.

Report Number **15544 SW/9996 C6**

Halberstadt  
Hatfield

CR259/2011

THAT City Council **APPROVE** the purchase of twelve (12) Dodge Journeys from Provincial Chrysler at a cost of \$199,020.00 plus taxes; and

THAT the Manager of Purchasing and Risk Management **BE AUTHORIZED** to issue a Purchase Order for this purchase.

Carried.

Report Number **15546 AE2011 C7**

Halberstadt  
Hatfield

CR260/2011

THAT the Manager of Purchasing and Risk Management **BE AUTHORIZED** to extend the contract with Suncor Energy Products Partnership to supply and deliver regular unleaded and ultra sulphur clear and coloured diesel fuel on an as and when required basis in accordance with all terms and conditions of Tender #25-08 for an additional two (2) year term.

Carried.

Report Number **15545 ST2011 C8**

Valentinis  
Jones

CR261/2011

That the report of the City Planner dated September 29, 2011 entitled "Site Plan Approval for the proposed development at 790 Goyeau Street File No. SPC-035/11" **BE DEFERRED** one week to the October 24, 2011 meeting of Council to allow for all interested parties to be in attendance.

Carried.

Report Number **15541 ZS/11178 9**

Halberstadt  
Hatfield

CR262/2011

That Council **RECEIVE** the Results and Recommendations of the Working Group on Transit and Handi-Transit in response to the Request by City Council of March 7, 2011, attached as Appendix A, for Information; and

That Council **DIRECT** the City Solicitor to negotiate a contract between Transit Windsor, Handi-Transit and the City of Windsor that reflects the contents of Recommendation 1 contained in Appendix A; and

That Council **AUTHORIZE** the Chief Administrative Officer and the City Clerk to sign a contract with Transit Windsor and Handi-Transit satisfactory in form to the City Solicitor, in financial content to the Chief Financial Officer and in technical content to the General Manager of Transit Windsor and the City Engineer; and

That Council **APPROVE** Recommendation 2 of Appendix A, specifically that Council **CONFIRM** the 2011 Budget Request for Handi-Transit of \$881,675 (Tax Levy Support of \$781,076 and Gas Tax of \$100,599) and one time payment to Handi-Transit of the requested 2010 shortfall of \$44,269 to be funded by the Budget Stabilization Reserve Fund.

Carried.

Report Number **15448 MT/11148 C10**

Appendices  
Appendix A

Halberstadt  
Hatfield

CR263/2011

I. That the following low tender **BE ACCEPTED**:

TENDERER: Fullerton Construction (1986) Ltd  
Box 303 STN. A  
Windsor, ON N9A 6K7

**TENDER NO.:** 53-11

**TOTAL TENDER PRICE:** 158,032.00 (excluding HST)

and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with the low tenderer, satisfactory in technical content to the Parks and Facilities Operations Division and the Administrator of Huron Lodge, financial content to the City Treasurer, and in form to the City Solicitor; and

II. That the project **BE FUNDED** from reserve fund #189 – Huron Lodge Resident Fund.

Carried.

Report Number **15534 AH/6741 C11**

Valentinis  
Marra

CR264/2011

THAT Council **RECEIVE FOR INFORMATION** the 2011 3<sup>rd</sup> Quarter Operating Budget Variance Report dated September 28<sup>th</sup>, 2011 from the CFO & City Treasurer and;

THAT the CAO in concert with the CFO & City Treasurer **BE DIRECTED** to continue monitoring the 2011 Operating Budget and continue to proactively manage the budget.

Carried.

Report Number **15552 AFB/10824 12**

Halberstadt  
Hatfield

CR265/2011

I. **THAT** the firm of MMM Group Limited **BE RETAINED** for:

- a) a completed **Environmental Study Report** for the Study Area limits identified as shown on figure “4M – 150”.
- b) full coordination, design, preparation of engineering drawings and specifications, tender documents, tendering, construction administration and inspection for **Railway Spur Extension** including utility, road, sewer, and drain crossings. Rail Concept is shown on figure “4M – 152”.
- c) full coordination, design, and preparation of engineering drawings and specifications, tender documents, tendering, construction administration and inspection for **Lachance Drain Relocation**.

- d) items a to c) in the amount of \$283,505 be funded from Project ID 7101026 for the installation of Rail Service for Twin Oaks Industrial Park.
- e) full coordination, design, preparation of engineering drawings and specifications, tender documents and tendering for **Twin Oaks Drive Extension** to eastern limits of City lands as shown on figure “4M – 151”; should the City proceed with this item.
- f) full coordination, design, and preparation of engineering drawings and specifications, tender documents and tendering for **Lands Servicing** as shown on figure “4M – 151”; should the City proceed with this item.
- g) full project construction administration and inspection of A- Twin Oaks Drive Extension identified in item 1.I.e) above and B- Lands Servicing identified in item 1.I.f) above; **should the City proceed with this item.**
- h) Items e) to g) in the maximum amount of \$243,100 be funded as a pre-commitment to the 2012 Capital Budget since this is to service other lands, with the City reserving the right not to proceed with any of items 1.I.e), 1.I.f), 1.I.g)A and 1.I.g)B; AND

**II.** THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement, satisfactory in form to the City Solicitor, in financial content to the City Treasurer and in technical content to the City Engineer.

Carried.

Report Number **15542 MTR/11200 C13**

Halberstadt  
Hatfield

CR266/2011

**I.** THAT the following low tender **BE ACCEPTED:**

<b>Tenderer:</b>	<b>PIERASCENZI CONSTRUCTION LIMITED</b> 7405 Broderick Road Lasalle, Ontario N9H 1W7
<b>Work:</b>	Construction of Concrete Sidewalks & Curbs and Gutters Tender No. 83-11
<b>Total Tendered Price:</b>	\$773,350.00 (excluding H.S.T.)
<b>Accounts Charged:</b>	007 2980 1790 02942 7111022

AND THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract satisfactory in form to the City Solicitor, technical content to the City Engineer, and financial content to the Chief Financial Officer & City Treasurer, with Pierascenzi Construction Limited for Tender No. 83-11.

**II.** THAT **APPROVAL BE GIVEN** to undertake an expenditure of \$773,350.00 for the construction of concrete sidewalks & curbs and gutters to be funded from the Approved 2011 Capital Budget of \$1,250,000.00 for Sidewalk/Curb and Gutter Rehabilitation (Project I.D. No. 7111022).

Carried.

Report Number **15532 SW/11201 C14**

Halberstadt  
Hatfield

CR267/2011

That the report of the City Solicitor and the Fire Chief **BE RECEIVED** for information, that Windsor Fire & Rescue Services **BE AUTHORIZED** to use vacant dwellings acquired by the City for training purposes, and that the Delegation of Authority By-law 208-2008 **BE AMENDED** to provide that in future, approvals by the Windsor Fire & Rescue Services to use vacant buildings for training purposes can be given by the Chief Administrative Officer upon the recommendation of the City Solicitor and the Fire Chief.

Carried.

Report Number **15556 AS/7748 SF2011 C15**